

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
)

**BROADBAND COLLABORATIVE
SOLUTIONS (USA), INC.**)

) File No. ITC-214-2002-_____
)

Application for Global Authority Pursuant to)
Section 214 of the Communications Act)
of 1934, as amended, to Operate as an)
International Facilities-Based and Resale Carrier)
Between the United States and Various)
International Points)
_____)

APPLICATION

Broadband Collaborative Solutions (USA), Inc. ("BCS" or "Applicant"), by its undersigned counsel, hereby requests global facilities-based authority and global resale authority, under Section 214 of the Communications Act of 1934, as amended (the "Act"), 47 U.S.C. § 214, and Section 63.18 of the Commission's Rules, 47 C.F.R. § 63.18, to provide international telecommunications services between the United States and international points. This application qualifies for streamlined processing.

I. THE APPLICANT

Broadband Collaborative Solutions (USA), Inc. is a Delaware corporations organized under the laws of the State of Delaware. BCS is not affiliated, as that term is defined within the meaning of Section 63.09(e) of the Commission's Rules, 47 C.F.R. §63.09(e), with any non-dominant foreign carrier in a country where it intends to provide services. BCS is not dominant

on any route between a destination country and the U.S., nor does it appear on the Commission's list of carriers presumptively deemed to have market power pursuant to Section 63.10(a)(3) of the Commission's Rules, 47 C.F.R. §63.10(a)(3). Therefore, BCS qualifies for a presumption of non-dominance under Section 63.10(a)(1) of the Commission's Rules, 47 C.F.R. § 63.10(a)(3), and its application is eligible for streamlined processing pursuant to Section 63.12 of the Commission's Rules, 47 C.F.R. § 63.12.

II. PUBLIC INTEREST CONSIDERATIONS

Applicant believes that the added competition its entry will bring to the market will benefit consumers of United States-overseas services. These benefits include competitive pricing and increased availability of a variety of service options. Therefore, a grant of this Application will further the public interest.

III. INFORMATION REQUIRED BY SECTION 63.18

Applicant submits the following information, as required by Section 63.18 of the Commission's Rules, in support of its request for Section 214 authorization:

- (a) Name, address and telephone number of Applicant:

Broadband Collaborative Solutions (USA), Inc.
330 Highway 7 East, Suite 202
Richmond Hill ON L4B 3P8
CANADA
Telephone: (905) 762-9515
Facsimile: (905) 762-9511

- (b) Applicant is organized under the laws of the State of Delaware.
- (c) Correspondence concerning this application should be sent to:

William B. Wilhelm
Douglas D. Orvis II
Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
Tel: (202) 945-6941
Fax: (202) 424-7645

with a copy to:

Monty Richardson
Broadband Collaborative Solutions (USA), Inc.
330 Highway 7 East, Suite 202
Richmond Hill ON L4B 3P8
CANADA
Telephone: (905) 762-9515
Facsimile: (905) 762-9511

- (d) Applicant has not previously received authority under Section 214 of Act. Upon grant of this Application, Applicant will become an authorized non-dominant facilities-based carrier and reseller with global authority, pursuant to Section 214 of the Act and the Commission's Rules.
- (e) (1) Applicant requests Section 214 authority to operate as a facilities-based carrier pursuant to Section 63.18(e)(1) of the Commission's Rules. Applicant requests such authorization for all international routes authorized by the Commission. Applicant certifies that it will comply with the terms and conditions of Sections 63.21 and 63.22 of the Commission's Rules.

(2) Applicant also requests Section 214 authority to resell the international services of authorized U.S. common carriers pursuant to Section 63.18(e)(2) of the Commission's Rules. Applicant requests such authorization for all international routes authorized by the Commission. Applicant certifies that it will comply with the terms and conditions contained in Section 63.21 and 63.23 of the Commission's Rules.
- (f) Applicant seeks authority to provide only the services referenced under paragraph (e) of Section 63.18 of the Commission's Rules.
- (g) Because Applicant is not seeking facilities-based authority pursuant to Section 63.18(e)(4) of the Commission's Rules, this Section is not applicable.
- (h) The following entities hold a ten percent (10%) or greater ownership or management interest in BCS:

Name: Broadband Collaborative Solutions, Inc.
Address: 330 Highway 7 East, Suite 202
Richmond Hill ON L4B 3P8
CANADA

Percentage Held: 100%
Citizenship: Canada
Principal Business: Telecommunications

The following entities hold a ten percent (10%) or greater ownership or management interest in Broadband Collaborative Solutions, Inc.:

Name: Monty N. Richardson
Address: 330 Highway 7 East, Suite 202
Richmond Hill ON L4B 3P8
CANADA
Percentage Held: 11.84%
Citizenship: Canada
Principal Business: Telecommunications

BCS does not have any interlocking directorates with any foreign carrier.

- (i) BCS certifies that it is not affiliated with any foreign carrier which provides basic telecommunications services as described in Section 63.18(j) of the Commission's Rules, 47 C.F.R. § 63.18(j).
- (j) The Applicant seeks to provide international telecommunications services to all global points, except those points on the Commission's Exclusion List.
- (k) Not Applicable
- (l) The Applicant should be classified as non-dominant pursuant to Section 63.10(a)(3) of the Commission's Rules, 47 C.F.R. §63.10(a)(3). The Applicant has no foreign carrier affiliates and will have a market share significantly less than 50% in the international transport and local access markets in the countries in which it is operating. Accordingly, the Applicant does not possess market power.
- (m) As described in Paragraph (l) above, the Applicant presumptively qualifies for non-dominant treatment for the provision of all international telecommunications services pursuant to Section 63.10 of the Commission's Rules, 47 C.F.R. §63.10.
- (n) BCS has not agreed to accept special concessions either directly or indirectly with any foreign carrier possessing market power on the foreign end of the route.

- (o) BCS certifies, pursuant to Sections 1.2001 through 1.2003 of the Commission's Rules (implementing the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 3301), that no party to its application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.
- (p) Applicant qualifies for streamlined processing pursuant to Section 63.12 of the Commission's Rules, 47 C.F.R. § 63.12, because Sections 63.12(c)(1)-(4) do not apply to Applicant.

IV. CONCLUSION

For the reasons stated above, Broadband Collaborative Solutions (USA), Inc. respectfully submits that the public interest, convenience, and necessity would be furthered by a grant of this Section 214 Application.

Respectfully submitted,

William B. Wilhelm
Douglas D. Orvis II
Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W., Suite 300
Washington, DC 20007
Tel: (202) 945-6941
Fax: (202) 424-7645

Counsel for Broadband Collaborative Solutions
(USA), Inc.

Dated: March __, 2002

CERTIFICATION OF APPLICANT

On behalf of Broadband Collaborative Solutions (USA), Inc., I hereby certify that the statements in the foregoing Application for Section 214 authority are true, complete, and correct to the best of my knowledge and are made in good faith.

By: _____

Name: Monty Richardson

Title: President and CEO

Date: _____